THE HON'BLE SMT. JUSTICE T. MEENA KUMARI

AND

THE HON'BLE SRI JUSTICE P. LAKSHMANA REDDY

W.P.No. 18158 of 2005

Dt:23.08.2005

Between:

Dr.D.Ramesh Kumar and another.

.. Petitioners

and

The Govt. of A.P., and others

.. Respondents

THE HON'BLE SMT. JUSTICE T. MEENA KUMARI

AND

THE HON'BLE SRI JUSTICE P. LAKSHMANA REDDY

W.P.No. 18158 of 2005

JUDGMENT:(per the Hon'ble Smt. Justice T. Meena Kumari)

This writ petition has been filed by the petitioners, challenging the action of the respondents in reverting them from their respective posts to the lower cadre.

Heard the learned counsel for the petitioners and the learned Government

Pleader for Medical and Health.

It is contended by the learned Government Pleader that the writ petition is not maintainable, since the petitioners, without availing the remedy before the A.P. Administrative Tribunal, approached this Court directly by invoking the jurisdiction under Article 226 of the Constitution of India.

It is an admitted fact that the petitioners have not approached the Tribunal challenging the Orders impugned. In that view of the matter, We find some force in the contention advanced by the learned Government Pleader that the petitioners cannot approach this Court directly.

In view of the facts and circumstances of the case, without expressing any opinion on merits, We deem it appropriate to grant leave to the petitioners to approach the Tribunal within a period of two (2) weeks from today. Meanwhile, there shall be an interim suspension of the proceedings impugned. However, it is made clear that the petitioners are entitled to seek appropriate relief before the Tribunal, if they so desire.

Subject to the above observations, this writ petition is disposed of.

(T. Meena Kumari.J)

(P. Lakshmana Reddy.J)

ksld/kdl

Dt.23.08.2005